

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 444 – HB 608

March 24, 2010

SUMMARY OF AMENDMENT (015801): Deletes all language after the enacting clause and enacts the Uniform Adult Guardianship and Protective Act which establishes protocols for interrelationship and jurisdictional issues with regard to courts in different states in matters of conservatorships and guardianships and defines guidelines to courts on communications with courts in other states. Establishes a basis for determining jurisdiction between this state and other states or foreign countries in cases involving the protection of an adult by the courts of different states or countries as a supplement to the Adult Protection Act. The court's orders under the Act will supersede and suspend any orders entered under any other law that addresses the protection, custody of the adult, or the disposition of property necessary to fund protective services for the adult under the Act. The ultimate determination of jurisdiction of this state, another state, or a foreign country to enter orders for the adult's personal protection and financial welfare shall be determined under the jurisdictional provisions within the bill.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

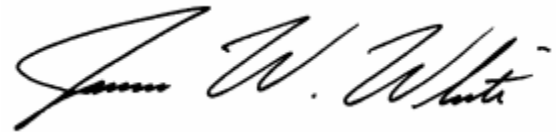
Assumptions applied to amendment:

- According to the Administrative Office of the Courts (AOC), the proposed legislation offers guidance to circumstances that courts already face when handling conservatorships and guardianships.
- AOC states that the guidance and protocols set forth may allow for some of these types of cases to be handled without lengthy delays to ascertain jurisdictional and other issues.
- The legislation should not have an impact on the caseloads of the state trial and appellate courts because it will not create a new class of cases nor eliminate a current class of cases.

- Any impact on caseloads that may occur from complying with a request from a court in another state can be accommodated within existing resources without an increased appropriation or reduced reversion.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/kml